



## COUNTY OF PLACER FISH & GAME COMMISSION

Ed King  
Deputy Agricultural Commissioner  
County Contact

### FISH & GAME COMMISSION MEMBERS

DISTRICT 1	DISTRICT 2
Don Gould	Mark Fowler
DISTRICT 3	DISTRICT 4
Gregg McKenzie	Gary Flanagan
DISTRICT 5	DISTRICT 5
Kari Freidig	Marc Wyatt
DISTRICT 5	
Mickey Daniels	

11477 E AVENUE  
AUBURN, CALIFORNIA 95603  
TELEPHONE: (530) 889-7372  
FAX: (530) 823-1698  
[www.placer.ca.gov](http://www.placer.ca.gov)

## PLACER COUNTY FISH & GAME COMMISSION MINUTES

**TIME/DATE:** 6:00 P.M. WEDNESDAY, July 29, 2015

**LOCATION:** PLACER COUNTY PLANNING COMMISSION HEARING ROOM  
Community Development Resource Agency, DeWitt Center, Auburn  
3091 County Center Drive (corner of Bell Road and Richardson Drive)

The Placer County Fish & Game Commission is committed to ensuring that persons with disabilities are provided the resources to participate fully in its public meetings. If you are hearing impaired, we have listening devices available. If you require additional disability-related modifications or accommodations, including auxiliary aids or services, please contact the Recording Secretary at (530) 889-7372. If requested, the agenda shall be provided in appropriate alternative formats to persons with disabilities. All requests must be received at least 72 hours prior to the scheduled meeting for which you are requesting accommodation. Requests received after such time will be accommodated only if time permits.

- I. **CALL TO ORDER** – Marc Wyatt, Vice Chair
- II. **ROLL CALL**  
**Present:** Daniels, Gould, Wyatt, Fowler, Flanagan, Freidig  
**Absent:** McKenzie
- III. **APPROVAL OF AGENDA for July 29, 2015 and APPROVAL OF MINUTES for June 24, 2015**  
**Agenda:** Flanagan/Freidig/MPUV  
**Minutes:** Fowler/Gould/MPUV

#### IV. PUBLIC COMMENT

Individuals may address the Commission on items under the jurisdiction of the Fish & Game Commission not included on this agenda for no longer than five (5) minutes. ***No action can be taken on items addressed under Public Comment***

Gary Sprague of NOAA noted that the July Commission meeting time and date as listed on the Fish and Game Commission website is incorrect and that he would like it changed. Wyatt explained that tonight's meeting was moved from July 22 to accommodate Commissioners' schedules. Huntsinger stated that he

would see to changing the meeting time on the website from 7:00 PM to 6:00 PM.

## **V. FINANCIAL REPORT – Josh Huntsinger**

Expenditures through June 30 for FY 14/15 totaled \$9,854.43 including \$1,620.00 in commissioner's fees, \$1,598.27 in mileage reimbursement, \$5,000.00 in grant awards, \$52.66 in office supplies, \$900.00 in secretary fees, \$67.50 in media services, and \$616.00 in A-87 costs.

Revenues through June 30 totaled \$6,903.31, including a \$4,000 general fund contribution, \$1,743.24 in fines, \$1,044.96 in penalty assessments and \$115.11 in interest. The combined total fine and penalty revenue of \$2,788.20 was \$2,211.80, or 44% short of the budget target of \$5,000. In comparison, fine and penalty assessment revenue for FY 13/14 totaled \$509.02.

The general fund budget contribution is to be used solely for Commission operating expenses. Operating costs for the year exceeded the \$4,000 contribution by \$739.32 (total expenditures less grant awards, general fund support and interest). This excess expense was deducted from Fish and Game Fund reserves, which total \$8,950. Reserve funds are comprised of past general fund support and accrued interest.

Each Commission meeting costs between \$550 and \$650 depending on whether or not Media Services is requested to setup the A/V system. At these rates, the Commission operating allowance is sufficient to fund six to seven meetings per year without drawing on reserves.

## **VI. AGENCY REPORTS**

### **A. Commission Updates**

Fowler reported that CDFW completed its 2015 waterfowl breeding population survey and noted an overall decline in California breeding. Breeding has increased from previous years further north, in Canada and Alaska. The drought has prompted a fish evacuation in the American River mainly due to water temperatures.

Fowler noted that lead ammunition is banned on CDFW lands as of July 1.

Fowler reported on the SHARE program offerings; applications are due August 17<sup>th</sup>.

Fowler reported that the deer capture project in the Tahoe/Truckee area is finished. The purpose was to research deer migration patterns, primarily with Loyalton and Truckee mule deer, and reduce the high number of deer-auto

collisions on Hwy 89. Caltrans data confirms over 1,000 deer killed in the past 30 years.

Wyatt read a thank-you letter from grant recipient Fruitvale School which described their wood duck education program. The school also sent letters and artwork from the students.

**B. State Wildlife Conservation Board Subcommittee** – Gregg McKenzie  
McKenzie was not present.

**C. State Fish & Game Commission Subcommittee** – Mark Fowler  
Reported under Commission Updates

**D. California Department of Fish & Wildlife** - Lt. John Lawson

Lawson reported an increase in bear problems as the drought is causing them to roam seeking food, especially in Grass Valley and Nevada City.

Lawson reported acquisition of a stealth boat for Lake Tahoe to aid increasing numbers of boat patrols. A docking location is still needed.

Lawson reports that he is losing two officers from his team, which means the remaining wardens will have to fill in until they can be replaced.

**E. Nevada Irrigation District & Placer County Water Agency Reports**

JULY 2015 PCWA Report – Ben Ransom

French Meadows is at 5,189' ( 52,675 ac-ft of storage)

Hell Hole is at 4,504' (86,646 ac-ft of storage)

Whitewater boating releases downstream of Oxbow Powerhouse will be made Tuesday, Thursday (in August), Friday, Saturday and Sunday through Labor Day weekend and Saturdays in September (after Labor Day)

Folsom Reservoir is currently at 390' (315,437 ac-ft of storage) and is projected to be at 343' (120,000 ac-ft) by the end of September (lower than 1977)

NID Report – Sue Sindt

NID is at 87% of average storage thanks to conservation efforts from customers. Treated water customers have reduced by 35%; agricultural customers have also reduced consumption evidenced by reduced rates of withdrawal from storage.

A facility owned by NID is in the middle of the Lowell fire area, where Steep Hollow Creek meets the Bear River. The area is habitat for the foothill yellow-legged frog and NID is anxious to remediate quickly.

Gould asked if NID planned on building any more reservoirs. Sindt replied that one is planned on the Bear River: Centennial Dam and Reservoir. Gould asked if

that was the one whose plans dated back to 1917. Sindt replied that that was the year NID obtained water rights and that the located has been sited.

### **NON-ACTION ITEMS**

#### **VII. Auburn Ravine Salmon Emergency Rescue Project – Collection and Movement of Fall Run Chinook Salmon Above Hemphill Dam**

Flanagan gave a summary of the events leading up to the project, and the process of drafting a letter of support.

##### **A. Save Auburn Ravine Salmon and Steelhead - Steve Hubbard, Program Director and Robert Trott, Program Manager**

Hubbard began with a PowerPoint presentation of an overview of SARSAS' plan. Hubbard also pointed to the 2012 fish passage project in Lincoln as evidence of public support of their goal. Trott added details of different options that might be available for the actual fish transport, including building a temporary fish ladder and using a Whooshh fish cannon system. Trott advised that regardless of the process, an agency like NOAA or CDFW has to run the project. Trott continued the presentation by listing the steps, indicating which were completed and which were still pending.

Gould asked whether NID owned the property around Hemphill Dam. Trott replied that NID only owns the facility; the land is owned by Turkey Creek Golf Club who has given permission for SARSAS to enter the property. Trott stated that SARSAS would like NID's support because access to the facility will make it easier for them. Catch and carry is not a good option for the health of the fish because of the current water temperature and level.

Freidig asked if the fish ladder would be the least stressful solution for the fish. Trott answered that the Whooshh cannon has proven to be the least stressful option as the fish move up the tube in a matter of seconds with little effort; however, it's also probably the most expensive option.

Freidig noted that any structure would probably have to be in place for a while. Trott stated yes, and that CDFW and NOAA probably have plans set in place to perform this kind of work. Caltrans also has information available.

##### **B. Mitch Lockhart, District Fisheries Biologist – Eldorado, Nevada & Placer Counties, California Department of Fish and Wildlife**

Mitch reiterated that this process cannot happen without a lead agency. Lockhart presented a CDFW departmental bulletin on their policies and procedures for what constitutes a "fish rescue." Lockhart stated that, at present, conditions in Auburn Ravine didn't warrant the need for a fish rescue, and that CDFW couldn't

support SARSAS' plan; therefore they would not be the oversight agency for it. Lockhart also advised that building a fish ladder requires CEQA permitting, and NID has already been denied permits to alter the streambank.

Freidig argued that present conditions notwithstanding, everyone already knew that the fish will be there in a few months. Lockhart stated that CDFW's position was based on stream conditions as they occur, and that present conditions didn't warrant a fish rescue. Lockhart advised that an anadromous fish biologist has been monitoring stream conditions all summer. Lockhart stated that handling the fish is a last resort, as fish in the water column have the best chance of protecting themselves from drought conditions.

Gould and Freidig asked what CDFW would do if it was decided that conditions tomorrow warranted a fish rescue. Lockhart stated that CDFW has a protocol in place to respond.

Lockhart explained that CDFW is only interested in a permanent passage solution to the issues at Hemphill, not a temporary measure. Wyatt clarified that, even if they don't call it a "fish rescue," CDFW wouldn't support their efforts. Lockhart confirmed that CDFW would only perform fish rescue if it was determined that any fish that survived being handled and moved would be part of a net gain; in other words, only if CDFW determined that not performing a rescue would result in the fish dying before spawning. Lockhart also explained that CDFW's Region 2 covers a large territory, and that the size of Auburn Ravine and the amount of fish involved mean that it isn't a high priority for them; as they are a state agency with a tight budget. Lockhart stated that the Anadromous Fish Team at CDFW determined that most fish that make it over Hemphill will come back over the dam to spawn below the dam because conditions above aren't as good for spawning.

Wyatt asked what CDFW planned in order to make NID fix the problem. Lockhart stated that that would be a question for Tina Bartlett or the program manager. Lockhart pointed out that fish already spawn in the parts of Auburn Ravine downstream from Hemphill Dam.

Freidig asked who made the determination about the stream conditions. Lockhart stated that it was the Anadromous Fish Team. Freidig asked who was in charge of the Anadromous Fish Team. Lockhart advised that it was Colin Purdy. Lockhart stated that Tina Bartlett, Colin Purdy, Jennifer Nguyen, and Mike Healy were all people who could be contacted if anyone had questions about fish rescue.

Fowler asked Lockhart to elaborate on what he meant by the low quality of the spawning beds above the dam. Lockhart stated that most of the gravel areas that are of a suitable size for spawning are not loose enough for salmon to dig a spot to lay eggs. Fowler asked for further clarification on what CDFW's data said

about where salmon spawn in Auburn Ravine. Lockhart responded that their data show that of the fish that do make it over, even though some do spawn above the dam, most turn around and come back over the dam to spawn downstream.

Fowler pointed out that spawning fish will accumulate right below Hemphill, which attracts fish poaching. Lockhart responded that that was an enforcement issue and couldn't factor into their decisions.

Flanagan commented that people see the fish beating themselves to death on the rocks below the dam trying to get upstream every year, and NID has already made clear that they may not do anything about it for five to ten years, so it seems obvious that moving the fish is better than doing nothing. Flanagan stated that SARSAS has the manpower and the cooperation of a fish science company, and to allow them to go ahead would be good public relations for CDFW.

Wyatt asked what CDFW's response would be if NID were willing to cooperate with SARSAS and implement something to get the fish over the dam. Lockhart replied that CDFW would want scientific evidence that the fish would benefit from being moved. Lockhart stated that CDFW's science shows that moving the fish will not help them, and if anyone has scientific evidence that shows otherwise, CDFW will consider it. Lockhart stated that another issue with fish spawning upstream of the dam is that the flashboards installed at the dam in the spring may impede juveniles trying to get downstream. Wyatt asked if the drought had anything to do with CDFW's position, and Lockhart replied that in a good water year, fish will get over the dam.

Flanagan asked if any citizen scientists at the meeting could say how many fish make it over the dam in a good water year. Jim Haufler, Citizen Science Coordinator for SARSAS, stated that 7 to 10 percent make it over.

Gould suggested that the transfer be allowed as a study to see how many fish do spawn and how many make it back downstream.

Flanagan stated that CDFW's would only need to provide one or two biologist to supervise for two to three days; the bulk of the work would be performed by volunteers, including a fish science company, and that it would be a small price to extend to address the public's desire to reintroduce fish above the dam. Flanagan stated that the biologist in charge of relicensing the Oroville Dam told him that he believed the conditions above Hemphill Dam were far superior for spawning than downstream.

Lockhart stated that he agrees that there is more gravel upstream of the dam, which is better for spawning, but the gravel doesn't move, which is necessary.

Hubbard stated that SARSAS has a lot of photos and video that shows that salmon do spawn upstream of the dam in high water years. Lockhart confirmed that CDFW also has that data.

Haufler stated that he has seen excellent spawning grounds miles further up from the dam. He also advised that the flash boarding problem could be solved by installing and daily cleaning screens to prevent juveniles from swimming up canals, and that not all the flashboards completely cover the canal entrances.

Hubbard stated that Lockhart never explained what CDFW intended to do about NID's not fixing Hemphill Dam, and that SARSAS would like to be kept in the loop about what's going to happen. Lockhart stated that he would be willing to come to a future meeting to report on CDFW's planned action for the dam if it was included as an agenda item for the Commission.

Haufler noted that the water above the dam isn't diverted before the dam, so that the water that is scouring the habitat downstream is the same volume as it is upstream.

Haufler asked whether CDFW had a problem with SARSAS volunteers installing and cleaning screens where canals branch off to keep juvenile fish from swimming up and getting trapped. Flanagan asked if that was NID's responsibility to install screens to prevent entrainment. Haufler replied that NID isn't doing it, so SARSAS was. Flanagan confirmed with Haufler that entrainment therefore wasn't an argument against moving fish upstream. Haufler stated that SARSAS was having a screen installed this fall at the largest canal, Pleasant Grove Canal.

John Sikora of Trout Unlimited, Eldorado chapter, suggested that the mindset at CDFW is that the project isn't of much use, and suggested that the Commission and citizen scientists talk to higher-level CDFW staff to try to convince them otherwise. He also pointed out that the memorandum Lockhart passed around was a policy memo, not codified rule, so it could be challenged. Sikora warned that they may have to go to the district attorney or the state attorney general to enforce the violation. Flanagan pointed out that those actions weren't the purview of the Commission. Wyatt explained that the Commission can only advise the county board of supervisors on a course of action. Sikora suggested that the course of actions be part of the Commission's recommendation.

Individual meeting attendees verbally supported SARSAS' plan, including Laurie Banks, California Fly Fishers Unlimited and Monica Roloff. Patrick Shea, Executive Director, Wildlife Heritage Foundation, also endorsed the project via a letter to McKenzie.

Scott Johnson and Robert Hane of SARSAS mentioned that Placer County already supports their efforts with the Placer County Conservation Plan, and added comments on how the project would benefit everyone.

**C. Commission action:** Consideration of draft letter and recommendation to the Board of Supervisors in support of physically collecting and transporting fall run Chinook salmon above Hemphill Dam in Auburn Ravine.

There was discussion about making changes to the draft letter to the Board of Supervisors. Changes to the draft version included replacing instances of the word “rescue” with “transfer” and adding Cramer Fish Science to the list of supporting organizations.

Gould/Daniels/*MPUV* to accept the letter with changes. Wyatt stated he would come in to the Agriculture Department on 7/30/15 to sign the revised letter.

**VIII. 2015-16 Fish & Game Commission Grant Program** – Determine whether or not to award grants in the current physical year based on FY 2013-14 and FY 2014-15 fine and penalty revenues.

Ed King had written a memorandum to inform the Commission on funds available for grant awards and to suggest that they may elect to award grant or to suspend the grant program for one year to allow revenue to accumulate. Huntsinger clarified what portion of total funds was available for grants.

Daniels/Flanagan/*MPUV* to suspend grants for FY15/16.

**IX. 2015-16 Commission Officer Elections**

Wyatt agreed to accept his nomination to serve as Chair for FY 15/16.  
Flanagan/Daniels/*MPUV*.

Freidig agreed to accept her nomination to serve as Vice Chair for FY 15/16.  
Flanagan/Gould/*MPUV*

**X. Next Meeting Date**  
August 26, 2015 at 6:00 PM

**XI Adjournment**  
8:25 PM